

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TRISTAR INVESTORS, INC.,

Plaintiff,

v.

**AMERICAN TOWER CORPORATION,
AMERICAN TOWERS LLC, AMERICAN
TOWERS INC., AMERICAN TOWER
GUARANTOR SUB, LLC, AMERICAN
TOWER HOLDING SUB, LLC, AMERICAN
TOWER ASSET SUB, LLC, AMERICAN
TOWER ASSET SUB II, LLC, AMERICAN
TOWER MANAGEMENT, LLC,
AMERICAN TOWER L.P., SPECTRASITE
COMMUNICATIONS, LLC, and
AMERICAN TOWER, LLC,**

Defendants.

**AMERICAN TOWER, LLC, SPECTRASITE
COMMUNICATIONS, LLC, and
AMERICAN TOWERS, LLC,**

Counter-Plaintiffs,

v.

**TRISTAR INVESTORS, INC., DAVID IVY,
ED WALLANDER, ROBERT GILES, DALE
GILARDI, JERRY VOGL, JOHN
LEMMON, MICHAEL MACKEY, and
MATT NEWTON,**

Counter-Defendants.

CIVIL ACTION NO. 3:12-CV-499

**THE AMERICAN TOWER ENTITIES' OPTIONAL COMPLETENESS
DESIGNATIONS TO TRISTAR'S DEPOSITION COUNTER DESIGNATIONS**

COME NOW Defendants American Tower Corporation, American Towers LLC, American Tower, LLC, American Towers, Inc., American Tower Guarantor Sub, LLC, American Tower Holding Sub, LLC, American Tower Asset Sub, LLC, American Tower Asset Sub II, LLC, American Tower Management, LLC, American Tower, L.P., and SpectraSite Communications, LLC (collectively the “American Tower Entities”), by and through undersigned counsel, and hereby file their optional completeness designations in response to TriStar’s Counter-Designations of Deposition Excerpts as follows:

1. John Armour – April 3, 2013

OPTIONAL COMPLETENESS
None

2. Christopher Blumle – June 14, 2013

OPTIONAL COMPLETENESS
None

3. Mark Cogley – February 20-21, 2013

OPTIONAL COMPLETENESS
31:19-23
34:14-25

4. Michael J. Cook – January 28, 2013

OPTIONAL COMPLETENESS
None

5. Connie W. Cowan – October 7, 2013

OPTIONAL COMPLETENESS
20:1-12
29:14-23

6. Spencer Davis – February 21, 2013

OPTIONAL COMPLETENESS
74:7-8

7. Ronald M. Dykes – June 11, 2013

OPTIONAL COMPLETENESS
85:23 – 86:4

8. James Fleming – June 27, 2013

OPTIONAL COMPLETENESS
26:4-11

9. Dale Gilardi – May 17, 2013

OPTIONAL COMPLETENESS
169:2-4
169:24-170:3
251:13-22
252:4-8
252:10-11
264:4-7

10. Robert E. Giles – August 7, 2013

OPTIONAL COMPLETENESS
57:8-11
61:23 – 62:13
66:25 – 67:25
120:4-17
125:6-16
126:9-13
128:9-14
171:10-18
173:2-8
173:12
173:20-22
174:8 – 175:1
175:3-9
176:9-11
176:14-25
180:23 – 181:7
206:19-23
300:13-17

11. Jon Hollerman – February 20, 2013

OPTIONAL COMPLETENESS
10:18-20

12. David C. Hull – April 10, 2013

OPTIONAL COMPLETENESS
115:15-18

13. David Ivy – July 24, 2013

OPTIONAL COMPLETENESS
35:21-25
57:20-24
94:25 – 95:9
136:1-4

14. Carolyn F. Katz – June 14, 2013

OPTIONAL COMPLETENESS
None

15. Mark Kearns – March 19, 2013

OPTIONAL COMPLETENESS
None

16. Phillip M. Kelley – June 26, 2013

OPTIONAL COMPLETENESS
92:3-9

17. Santos Leal – July 26, 2013

OPTIONAL COMPLETENESS
13:18-23
13:25
15:10-20
15:25 – 16:2
16:4-13

18. John Lemmon – May 16, 2013

OPTIONAL COMPLETENESS
105:15-18
106:3-11

19. Richard Lukaj – May 2, 2013

OPTIONAL COMPLETENESS
193:22-24
194:1-2

20. Alexander Macheras – April 19, 2013

OPTIONAL COMPLETENESS
8:3-5
49:20-22
57:1-9
57:23 – 58:1
82:16-19

**21. TriStar Corporate Representative Michael Mackey, (30(b)(6))
March 28, 2013**

OPTIONAL COMPLETENESS
38:14-24
45:21-46:6
46:19-21
125:22-24

22. Michael Mackey – June 14, 2013

OPTIONAL COMPLETENESS
14:8-9
14:12-14
72:4-7
79:16-20
83:4-6
83:18-20

23. Rodney S. Marcum – February 7, 2013

OPTIONAL COMPLETENESS
21:11-22:7

24. Vicki Mastalski – February 21, 2013

OPTIONAL COMPLETENESS
13:6-14

25. Benjamin Moreland – June 26, 2013

OPTIONAL COMPLETENESS
27:17-19
30:4-18
43:16-18
43:21-25
50:20-24

26. Matt Newton – July 23, 2013

OPTIONAL COMPLETENESS
24:4-6
24:8-12
135:20-24
168:14-18
184:14-18
197:3-7
245:18-23

27. Christina Pushic – April 16, 2013

OPTIONAL COMPLETENESS
32:5-9
66:6-10
78:12-19

28. Terry Robinson – February 21, 2013

OPTIONAL COMPLETENESS
9:10-12
22:17-24
23:2-4
24:12-25:6
36:24-37:12
43:15-44:5

29. Daniel Rosen – April 18, 2013

OPTIONAL COMPLETENESS
None

30. Jonathan Rotolo – July 31, 2013

OPTIONAL COMPLETENESS
44:13-17
80:6-7

31. Windle Skipper – June 18, 2013

OPTIONAL COMPLETENESS
45:22-46:1

32. Robert Smith – May 8, 2013

OPTIONAL COMPLETENESS
None

33. Jeffrey A. Stoops – August 20, 2013

OPTIONAL COMPLETENESS
None

34. Frank Sutfin – July 31, 2013

OPTIONAL COMPLETENESS
14:18-21
17:7-10
18:13-14

35. Rafael Tostado – July 25, 2013

OPTIONAL COMPLETENESS
18:5-6
18:8-15

36. Jerry Vogl – April 17, 2013

OPTIONAL COMPLETENESS
100:5-14
100:16-25
202:5-11

228:19-22
229:1-14
230:5 – 231:5
232:8-12
235:10-13
235:20 – 236:21
238:5-8

37. Paul Webb – July 10, 2013

OPTIONAL COMPLETENESS
12:7-22

38. George Zaharis – April 18, 2013

OPTIONAL COMPLETENESS
42:9-12
43:10 – 44:1
118:19-23
123:5-11
129:5
129:24 – 130:5
139:7-11
139:17-18

Dated: July 3, 2014

Respectfully submitted,

/s/ Michael L. Nepple

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COUNTER-PLAINTIFFS

CERTIFICATE OF SERVICE

On July 3, 2014, I electronically submitted the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Michael L. Nepple
Michael L. Nepple